

1  
2  
3  
4  
5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA

8                   UNITED STATES OF AMERICA,

9                   CASE NO. CR19-05355 BHS

10                  Plaintiff,

11                  ORDER

12                  v.

13                  KELLY LEE FISHER,

14                  Defendant.

15                  This matter is before the Court on defendant Kelly Lee Fisher's motion for early  
16 termination of supervised release. Dkt. 6.

17                  The Honorable Kevin Michael Moore of the Southern District of Florida  
18 sentenced Fisher to 60 months of imprisonment followed by 20 years of supervised  
19 release for Receipt of Visual Depictions of Minors Engaged in Sexually Explicit  
20 Conduct. Dkt. 2. Fisher completed his term of incarceration and began supervised release  
21 on July 29, 2019. Dkt. 1. Jurisdiction was transferred to this District on August 22, 2019.  
*Id.*

22                  Fisher moves for early termination of supervised release. Dkt. 6. He asserts he has  
been in full compliance with the terms of his supervision and has completed residential

1 drug and sex offender treatment. *Id.* at 2. He assures the Court that he has consistent  
2 employment as a driver and a stable living situation. *Id.*

3 The United States opposes Fisher's request. Dkt. 8. It acknowledges Fisher's  
4 supervision has been "violation-free," but argues his motion for early termination is  
5 premature. *Id.*

6 Probation defers to the Court on whether to grant Fisher's motion. Dkt. 9. It does  
7 not endorse early termination "due to the nature and circumstances" of Fisher's offense,  
8 but credits Fisher with performing well on supervision, maintaining stable housing and  
9 employment, and completing all court ordered treatment obligations. *Id.* at 3.

10 Compliance with the conditions of supervised release for an extended period  
11 demonstrates rehabilitation and the possibility of early termination provides incentive to  
12 defendants to do well on supervision. The Court concludes early termination of Fisher's  
13 supervision is not appropriate at this time. However, the Court finds that on or after the  
14 one-year anniversary of his graduation from his sex offender treatment program, in April  
15 2025, he may renew his motion if he has otherwise remained in full compliance with the  
16 conditions of his supervised release. The Court commends Fisher on completing all  
17 required treatment, demonstrating sustained compliance with the terms of his supervision,  
18 and achieving a stable community environment.

19 Therefore, it is hereby **ORDERED** that Fisher's motion for early termination of  
20 supervised release, Dkt. 6, is **DENIED**.

21 //

22 //

1 Dated this 23rd day of October, 2024.

2  
3  
4



5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

---

BENJAMIN H. SETTLE  
United States District Judge